



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

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COMMITTEE ASSIGNMENTS:
GENERAL LAWS
TRANSPORTATION
AGRICULTURE, CHESAPEAKE
AND NATURAL RESOURCES
SCIENCE AND TECHNOLOGY

October 25, 2010

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Water Docket
Environmental Protection Agency
Mailcode: 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Docket ID #EPA-R03-OW-2010-0736

To Whom It May Concern:

Please allow these comments regarding the Chesapeake Bay TMDL. These views are my own, and come from perspective as both a businessman and as a legislator. In both areas I have spent considerable time studying environmental and natural resources issues, and it is my privilege to currently chair the Chesapeake subcommittee of the House Committee on Agriculture, Chesapeake and Natural Resources.

Virginians in both the private and public sectors are committed to environmental stewardship and the restoration of the Chesapeake Bay. From farmers voluntarily adopting best management practices to local and state governments investing billions in improved wastewater treatment, we have been willing partners in making environmental progress, and the data shows that we are, in fact, making progress.

Through the tributary strategies, Virginia is committed to significant additional reductions in nitrogen, phosphorus, and sediment pollution going forward. My review of data from the Chesapeake Bay Commission shows that in many cases the tributary strategies are essentially equivalent to the draft allocations proposed by EPA, and are in some cases lower. With this framework in place, EPA's haste to act and public disparagement of Virginia's Watershed Implementation Plan are puzzling.

More importantly I am concerned that this haste to act and an overzealous and burdensome regulatory approach may do irreparable harm to Virginia jobs and the economy. The economic costs for compliance must be balanced. Federal backstops, in particular, could do more harm than good if permitting requirements drive farmers out of

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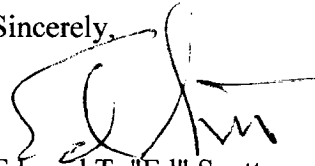
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business and off their land or restrict wastewater treatment upgrades, resulting in capped growth in expanding communities.

Recently I was part of the group of Virginia legislators that met with Mr. Rich Batiuk and Mr. Bob Koroncai of the Environmental Protection Agency. Dialogue can be helpful. It must also be accompanied though by truly listening to the challenges faced by state and local governments, small businesses and farmers, as well as individual homeowners. Reduction allocations must be science-based and within the realm of today's technology. We need a vibrant economy so that all of the above sectors can invest further in Chesapeake Bay restoration. The federal government alone cannot and will not be the answer.

Thank you for your attention to these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Scott', with a stylized flourish extending from the end.

Edward T. "Ed" Scott
Delegate, 30th District

ETS:jhp